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Treasure Trove in Scotland: a code of practice

Citation for published version:

Ralston, I 2008, *Treasure Trove in Scotland: a code of practice*. Scottish Government.
<<http://www.scotland.gov.uk/Publications/2008/12/04114930/0>>

Link:

[Link to publication record in Edinburgh Research Explorer](#)

Document Version:

Publisher's PDF, also known as Version of record

Publisher Rights Statement:

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treasuretrove

in Scotland

A CODE OF PRACTICE



Treasure
Trove

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A CODE OF PRACTICE

DECEMBER 2008

Under Scottish law all portable antiquities of archaeological, historical or cultural significance are subject to claim by the Crown through the Treasure Trove system and must be reported.

This document provides a comprehensive guide to the Treasure Trove system and sets out best practice to be followed by all parties involved in its operation.



**Treasure
Trove**

*Protecting our
Archaeological Heritage
for the Nation*

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ISBN: 978-0-7559-5887-0

RR Donnelley B57806 11/08

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CONTENTS

	<i>Page</i>
Foreword	I
1. Introduction	2
2. The Treasure Trove system	3
3. Operating the Treasure Trove system: the bodies involved	5
4. Definitions	7
5. The Treasure Trove process: chance finds	10
6. The Treasure Trove process: fieldwork assemblages	14
7. The role of the finder: chance finds	16
8. The role of the finder: excavation assemblages	18
9. The role of museums	20
10. The role of the Local Authority archaeologist	22
11. The role of the Treasure Trove Unit	23
12. The role of SAFAP	24
13. The role of the QLTR	25
Appendix A: Scottish Archaeological Finds Allocation Panel (SAFAP) 26	
– terms of reference	
Appendix B: Functions of the Treasure Trove Unit (TTU)	28
Appendix C: Standard reporting form for chance finds	30
Appendix D: Standard unclaim certificate issued to finders	31
Appendix E: Certificate issued to finders of chance finds of Crown-claimed objects	32
Appendix F: Types of portable antiquities which will ordinarily be liable to33	
claiming for the Crown	
Appendix G: Standard letter from QLTR to finder of chance finds when portable 35	
antiquity is claimed by the Crown	
Appendix H: Application form for authority to borrow and display unallocated 37	
Treasure Trove	
Appendix I: Application form for authority to borrow unallocated Treasure Trove 38	
for research purposes	
Appendix J: Standard organized fieldwork reporting form	40
Appendix K: Standard application form for museums and other relevant institutions	41
Appendix L: Criteria for allocation in the event of multiple applications	43
Appendix M: Scottish portable antiquities acquired by museums since45	
31 December 1999	
Appendix N: The Treasure Trove process: summary information sheet for finders 46	
of chance finds	
Appendix O: Contact details	48



FOREWORD

I very much welcome the publication of the *Code of Practice*, which has been prepared by the Scottish Archaeological Finds Allocation Panel.

The Code is intended to represent a major step forward in clarifying all the procedures involved in the processing and allocation of archaeological finds from Scotland. Like the Panel, I very much hope that the Code will be of value to the diverse communities affected by it, who include professional and amateur archaeologists, metal detector users, museum staff and members of the general public with an interest in archaeology and Scotland's Heritage.

The *Code of Practice* is a living document and users and readers are invited to offer comments to my office on its operation



Norman McFadyen
Queen's and Lord Treasurer's Remembrancer
Crown Office
Edinburgh



1. INTRODUCTION

1.1 Origin of this document. In its published response to a review of the Treasure Trove system the then Scottish Executive determined that a 'comprehensive and authoritative Code of Practice should be drawn up'.¹

1.2 Compilation. The Code of Practice has been compiled for the Scottish Government by the Scottish Archaeological Finds Allocation Panel (SAFAP) in conjunction with the Queen's and Lord Treasurer's Remembrancer (QLTR).

1.3 Status. This Code of Practice, published with the approval of Scottish Ministers, is an advisory notice setting out guidance and best practice in relation to the law in Scotland as applied to portable antiquities. The guidance and best practice it contains may be relevant considerations in any legal proceedings involving Treasure Trove matters.

1.4 Review. The Code of Practice will be subject to periodic review and it will therefore be important to use the most up-to-date version. This first version (2008) of the Code supersedes all previous booklets and leaflets pertaining to Treasure Trove in Scotland. Updated versions will be prepared and distributed as necessary, and the most recent version will be accessible on the following website: www.treasuretrovescotland.co.uk. Comments from users will be welcome and will be considered when the Code is revised. (Comments should be sent to the QLTR at the address in **Appendix O**)

1.5 Using this document. The first sections of the code set out the aim and policy of the Treasure Trove system. They describe which bodies are involved and what are their responsibilities, and give definitions of the main terms used. Following these are sections which provide a guide to the Treasure Trove process, from the discovery of a portable antiquity or fieldwork assemblage through to its acquisition by a museum, and to the roles and responsibilities of finders, museums and official bodies.



Stone axeheads were part of the toolkit of Neolithic farmers some 5,000 years ago. This example is a roughout for the finished product. This roughout however, is not made from a local stone but from Langdale tuff, a pale green stone found high up on the fells in the Lake District in Cumbria. Axeheads from these Cumbrian Neolithic 'axe factories' have been found across Britain and in Ireland and it seems that the sites where the stone was quarried or perhaps the stone itself, was of special significance to Neolithic people.

¹ *The Reform of Treasure Trove Arrangements in Scotland*. Edinburgh: Scottish Executive, November 2004.

2. THE TREASURE TROVE SYSTEM

2.1 Definition. Treasure Trove system is the traditional descriptive phrase given to the practices governing the administration by or on behalf of the QLTR of the Scots common law about portable antiquities found in Scotland. 'Treasure Trove' has been applied in Scotland since medieval times, but the system was substantially modified in the 1990s and was adopted in its present form in 1999.²

2.2 Purpose. The Treasure Trove system safeguards portable antiquities of archaeological, historical and cultural significance found in Scotland, and enables their allocation to Scottish museums.

2.3 Policy. In 2004 the Scottish Executive published the following statement of policy:

The Treasure Trove system forms an important part of the Scottish Executive's approach to the preservation of the nation's cultural heritage. The Treasure Trove system will be used to safeguard Scotland's heritage of portable antiquities and archaeological objects by preserving significant claimed objects in the public domain. In accordance with the Executive's policy of increasing access to, and understanding of, our cultural heritage, claimed objects will be held by suitable institutions (usually the National Museums of Scotland or a local museum) for the benefit of the Scottish public. The presumption will be that display worthy objects will be placed on exhibition and, where appropriate, will be made available on loan to other museums.³

2.4 Responsibility. Policy and financial responsibility for the Treasure Trove system lie with Scottish Ministers and are exercised through the Culture Division of the Scottish Government.

2.5 Statement of the legal position.

- (i) Found items from anywhere in Scotland (on land, in buildings, from inland waters, from within harbours, and from the coast and other tidal waterways down to mean low tidal water level) which are not otherwise owned and for which there is not a demonstrable heir (*bona vacantia*) are the property of the Crown at Scots common law. Portable antiquities form a subset of *bona vacantia*.
- (ii) Found portable antiquities must be reported to the Crown by the finder through the Treasure Trove Unit or an appropriate intermediary (e.g. a museum). Misappropriation of found portable antiquities is the crime of theft and dishonest dealing in such items is the crime of reset, or receiving stolen property. Failure to report the finding of portable antiquities or the removal of found portable antiquities from Scotland (including to elsewhere in the United Kingdom) may provide evidence of misappropriation. Cases of apparent dishonesty will be reported to the Procurator Fiscal or Police for investigation and consideration of criminal proceedings. Offences are punishable by a fine or a term of imprisonment or both.

² *Treasure Trove in Scotland: Information on Treasure Trove Procedures – Criteria for Allocation and the Allocation Process*. Edinburgh: Scottish Executive Education Department, August 1999.

³ *The Reform of Treasure Trove Arrangements in Scotland*. Edinburgh: Scottish Executive, November 2004.

- (iii) Non-reported portable antiquities have the status of being unclaimed Crown property. They cannot be owned by anyone else if the Crown has not been given the opportunity, by reporting, of exercising its right of ownership. There is no time limit with respect to non-reporting of items which thus remain the property of the Crown in perpetuity. Finders have no ownership rights to found objects unless and until the Crown determines, after they have been reported, not to claim, or subsequently to disclaim. Landowners have no property rights to portable antiquities, nor do sponsors of organized archaeological fieldwork have any claim to any finds made on their projects. Finders must ensure they have any appropriate permission to search land for portable antiquities.
- (iv) Many chance finds are made with the aid of a metal detector. It is a criminal offence (under section 42 of the Ancient Monuments and Archaeological Areas Act 1979) to use a metal detector on a scheduled monument or a monument in the ownership or guardianship of Scottish Ministers, or of a Local Authority, without prior written permission from Scottish Ministers (further information can be obtained from Historic Scotland's Inspectorate – see [Appendix O](#) – and from Local Authority archaeologists).

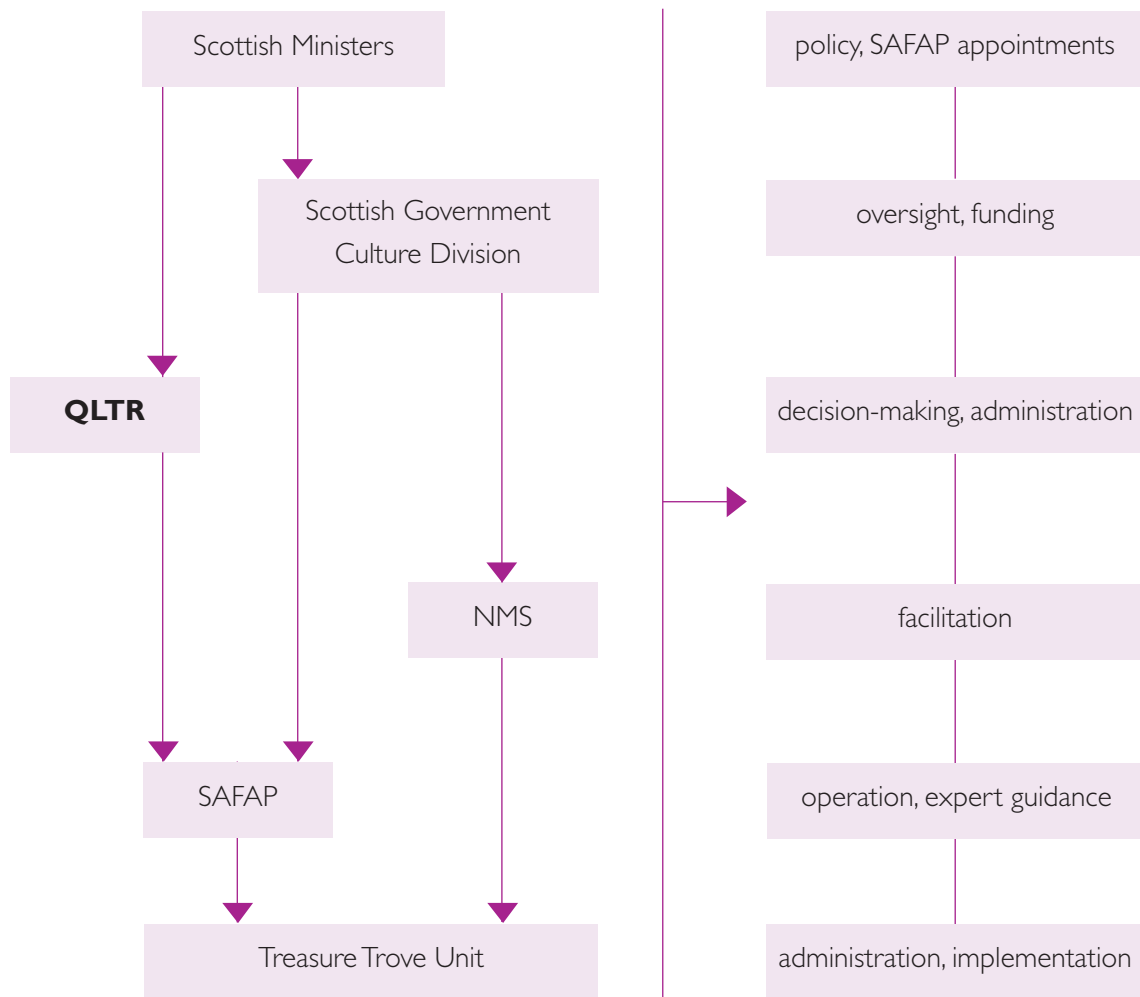


3. OPERATING THE TREASURE TROVE SYSTEM: THE BODIES INVOLVED (Fig.1)

3.1 QLTR. The Queen's and Lord Treasurer's Remembrancer (QLTR) operates the Treasure Trove system. The QLTR is the Crown appointee ultimately responsible for all decisions over the claiming, valuation and allocation of portable antiquities found in Scotland.

3.2 SAFAP. The Scottish Archaeological Finds Allocation Panel (SAFAP) is a non-statutory specialist advisory panel which makes recommendations to the QLTR on the valuation and allocation of portable antiquities and archaeological assemblages claimed by the Crown. It meets at least three times per year (see [Appendix A](#) for its terms of reference). In its present form (since 2005) the Panel represents an amalgamation of the former Treasure Trove Advisory Panel and the former Finds Disposal Panel.

Fig. 1: Treasure Trove Responsibilities Tree



Abbreviations

QLTR: Queen's & Lord Treasurer's Remembrancer NMS: National Museums Scotland

SAFAP: Scottish Archaeological Finds Allocation Panel

3.3 TTU. The Treasure Trove Unit (TTU) undertakes the day-to-day administration of the Treasure Trove system. The Unit is funded by the Scottish Government and housed within NMS (see Appendix B for its functions).

3.4 NMS. National Museums Scotland (NMS) provides accommodation and facilities for the TTU and makes available expert advice and other resource support to assist the TTU. The Director of NMS nominates one member of staff to represent NMS on SAFAP.

3.5 MGS. Museums Galleries Scotland (MGS) provides a channel of communication to and from the museum sector for Treasure Trove matters. The Director of MGS nominates one member of staff to represent MGS on SAFAP.

3.6 HS. Historic Scotland (HS), as a major sponsor of archaeological fieldwork, reports all finds and assemblages from work it has sponsored or co-sponsored directly to the TTU for consideration by SAFAP. HS also undertakes Scottish Ministers' responsibilities in relation to scheduled monuments and monuments in the guardianship of Scottish Ministers, under the terms of the Ancient Monuments and Archaeological Areas Act 1979.

3.7 NFA. The National Fund for Acquisitions (NFA) can on application provide grants towards the purchase of portable antiquities by non-national museums. In any one year such museums can obtain 50 per cent of the *ex gratia* payment for allocated Crown-claimed material, for as long as NFA funds allow.

3.8 Contact details for the above bodies are listed at the end of this Code (**Appendix O**).

3.9 Many other organizations and individuals assist in operating the Treasure Trove system; the role of regional/local museums and Local Authority archaeologists is considered in sections 9 and 10 of this Code.



Carved stone balls are unique to Scotland and are one of the most enigmatic of all European prehistoric objects. Some are perfectly symmetrical and have decorative lines incised on them such as TT.103/06, found during potato harvesting near Pitmillie Law in Fife, whilst others like TT.4/07, found in a garden near Newburgh in Fife, are asymmetrical and seem to be less finely finished. Most carved stone balls are found north of the Firth of Forth in the east and north of Scotland but we do not know what they were used for nor what significance they held for the people who made them.

4. DEFINITIONS

Allocate/Allocation The final stage of the Crown claiming process of the Treasure Trove system is the allocation of a claimed item to an accredited/registered museum. This is deemed to transfer ownership to that museum.

Accredited/registered To be eligible to receive allocated portable antiquities a museum must have formal accreditation/registration under the Museums, Libraries and Archives scheme administered in Scotland by MGS.

Archaeological context A stratigraphic entity within which it is reasonable to assume found objects are directly related to each other (see assemblage).

Archaeological site An archaeological site consists of a series of linked archaeological contexts, such that it is reasonable to assume that associated items form an assemblage. Delimiting the total extent of an archaeological site, particularly an unexcavated one, is often difficult and SAFAP members will exercise their best judgement (and make use, for example, of cartographic information) to assess whether particular finds are, or are not, a part of an assemblage from a particular site.

Assemblage A general term used for an associated group of portable antiquities. This term is used in a narrow sense to describe a group of finds from a single restricted archaeological context, or in a wider sense to refer to all the finds from a particular archaeological site or (in some cases) from an entire fieldwork project.

Assessing/Assessment The process of determining the significance of a reported portable antiquity with regard to claiming or unclaiming.

Bona vacantia A Latin term which is translated as 'ownerless goods'. The Crown has the right to claim *bona vacantia*, including portable antiquities.

Case All Crown-claimed material is allocated a case number by the QLTR. A single case number may cover a single object, a group of objects from the same findspot, or an assemblage from a fieldwork project.

Chance finds Refers to all portable antiquities other than those recovered by organized archaeological fieldwork. All discoveries made by users of metal detectors are regarded as chance finds, other than those made in conjunction with organized archaeological fieldwork. Chance finds are normally objects without an archaeological context.

Claim/claiming These terms refer to the exercise by the Crown through the QLTR of its right to own a portable antiquity under the Treasure Trove system.

The Crown This term refers to the entity entitled at common law to assert its right of ownership of apparently ownerless goods (*bona vacantia*) and is represented in Scotland by the QLTR.

Data Structure Report (DSR) The initial outcome of most archaeological fieldwork interventions is a DSR, which briefly describes the project and its results, and lists the contexts recorded and summarizes the site archive (drawings, photographs, finds, etc.).

Disclaim/disclaiming These terms refer to the action by the Crown through the QLTR in rejecting ownership of a portable antiquity previously claimed under the Treasure Trove system. By this means ownership is passed to the finder (see also unclaim/unclaiming).

Ex gratia payment This is an award made at the discretion of the QLTR to the finder(s) of a chance find. The payment takes into account the circumstances of discovery, the treatment of the object by the finder, the nature of the item(s) and any delays in reporting.

Finder/reporter The assumption is made in this document that the finder(s) and the reporter(s) of a portable antiquity is (are) one and the same, as in practice is the norm. When this is not the case with a chance find, it will normally be the finder, not the reporter, who is eligible for any *ex gratia* payment, for example when a third party such as a museum acts as reporter on behalf of a finder.

Findspot The exact location at which a portable antiquity is discovered.

Hoard (or cache) Two or more items in association which are judged to have been deliberately deposited together.

Local Authority archaeologist Local Authorities either employ archaeological staff directly or have contractual arrangements for the provision of professional archaeological expertise as required. The term Local Authority archaeologist in this Code is used to describe any person acting on behalf of a Local Authority in this way. This term does not normally include Local Authority museum staff.

Local museum/regional museum A museum will normally be considered local when its collecting policy specifies all, or part of, a single Local Authority area, and regional when the collecting policy extends beyond a single Local Authority area. On behalf of SAFAP the TTU maintains a library of the collecting policies of all accredited/registered museums in Scotland which are interested in acquiring Crown-claimed items.

Museum ready Refers to the state of an archaeological assemblage after the post-excavation process is complete and the assemblage is ready to be transferred to a museum collection.

Organized archaeological fieldwork Describes any field project undertaken to recover data according to recognized archaeological standards, whether involving professional archaeologists or not.

Portable antiquity This term in Scotland covers any ownerless item (*bona vacantia*) which is portable, has been humanly manufactured or modified, is of any size, type or material, is not integral to a site or monument, and has been found in Scotland. Normally the human manufacture or modification of the item will have occurred more than 100 years before its discovery.

Reporting The legal requirement under the Treasure Trove system whereby any possible portable antiquities are formally notified to the TTU. (see **Appendices C and I** for standard reporting forms)

Scheduled monument An archaeological site or monument of national importance that Scottish Ministers have given legal protection under the Ancient Monuments and Archaeological Areas Act 1979. The boundaries of scheduled monuments are defined in their legal documentation (which can be downloaded from www.pastmap.org.uk).

Significance This is the criterion used to determine whether a portable antiquity should be claimed or unclaimed. Significance is determined by the potential of any portable antiquity to contribute to the cultural record of Scotland.

Standard application This term describes a museum's expression of interest in the allocation of a Crown-claimed item (see **Appendix K**).

Treasure Trove Under Scots common law the Crown has ownership rights to treasure, in the specific sense of items wholly or partly composed of precious metal (gold and silver). This aspect of the law has given its name to the whole portable antiquities system described here. In practice, however, since the common law Crown rights pertaining to *bona vacantia* are all-embracing, those relating purely to precious metal items are rarely used separately from the general claiming and allocation processes.

Unclaim/unclaiming These terms refer to the action whereby the Crown through the QLTR (and delegated to the TTU) chooses not to claim a reported portable antiquity. In such cases a transfer certificate is issued by the TTU to the person, group or organization reporting the find, making them the owner of the object (see **Appendix D**).

Unreported An unreported portable antiquity cannot be owned legally by individuals or institutions.

Valuation The process whereby SAFAP determines for a chance find the *ex gratia* payment to recommend to the QLTR.

5. THE TREASURE TROVE PROCESS – CHANCE FINDS (Fig. 2)

5.1 The process by which chance finds of portable antiquities are dealt with under the Treasure Trove system is summarized in Figure 2. This section expands upon the flow-chart and provides a definitive step-by-step account. The responsibilities of the parties involved and the mechanisms for achieving the steps are considered in subsequent sections of the Code.

5.2 Whenever a chance find of a portable antiquity is made the item or items recovered are required, within one month of initial discovery, to be reported to the TTU (see [Appendix C](#)). Delays in reporting a find will affect any *ex gratia* payment.

5.3 Normally it will be necessary for the item to come to the TTU, which will retain it in safe storage until its future is determined. The TTU will liaise with the finder and/or reporter regarding delivery. Reporting may be assisted, where circumstances permit, through a regional/local museum or a Local Authority archaeological service.

5.4 The TTU will assess all received finds of portable antiquities and determine their significance, leading either to a recommendation to the QLTR to claim, or to a decision on delegated authority from the QLTR to unclaim.

5.5 If the portable antiquity is unclaimed, it will be returned to the finder (or in some cases the reporter). The TTU will issue a certificate to the finder for each unclaimed item or group of items (see [Appendix D](#)).

5.6 If a find is to be recommended for claiming, the TTU may contact the finder to establish further details of the findspot and the circumstances of finding. Withholding information about a find or improper treatment of it will affect any *ex gratia* payment.

5.7 The TTU passes the recommendation to claim a find to the QLTR, who formalizes the claim by allocating a case number, and notifies the finder and the TTU that the find has been claimed. At this stage the finder is invited by the QLTR to provide any available evidence relevant to valuation of the claimed item.

5.8 The TTU undertakes further research and consultation on the claimed item, including arriving at a guideline valuation.

5.9 The TTU advertises the claimed item to the museum sector and invites museums to submit standard applications for allocation. Museums will be notified if claimed items require additional conservation before they can be transported.

5.10 If multiple standard applications are received, these will be exchanged by the TTU between the submitters, who are given the option of submitting revised applications.

5.11 SAFAP considers current claimed items at its regular meetings. Normally all the claimed items being considered (other than excavation assemblages) will be available for SAFAP to inspect. SAFAP deliberates and arrives at its recommendations to the QLTR for allocations and *ex gratia* payments.

5.12 The TTU advises the relevant museum of SAFAP's recommendations and requests confirmation that the museum still seeks the allocation.

5.13 After SAFAP has considered multiple applications for a claimed item, the TTU will inform the museums involved of what SAFAP is minded to recommend to the QLTR. It will request confirmation of the museums' agreement or disagreement with this outcome. If there is a disagreement, the case will be deferred for reconsideration at SAFAP's next meeting, and the museums involved will be invited to submit further details. These further details are not exchanged between museums by the TTU.

5.14 The TTU advises the QLTR of SAFAP's recommendations.

5.15 If for any reason the QLTR decides to reject a SAFAP recommendation, the case is referred back to the next meeting of the Panel for reconsideration (this is rare).

5.16 If the QLTR decides to accept SAFAP's recommendation then the recipient museum is requested by the QLTR to forward the full amount of the *ex gratia* payment.

5.17 On receipt of the museum's payment, the QLTR sends the *ex gratia* payment and a certificate to the finder (see **Appendix E**), and notifies the TTU to close the case.

5.18 The recipient museum collects the find from the TTU and accessions it into its collection.

5.19 The process from initial reporting to allocation to a museum and completion of any *ex gratia* payment to a finder will normally be completed within 12 months.

5.20 If for any reason no museum has expressed interest in acquiring a claimed item, the QLTR may, on SAFAP's recommendation, disclaim the find and it will be returned to the finder.

Fig. 2: Treasure Trove process flow-chart: chance finds

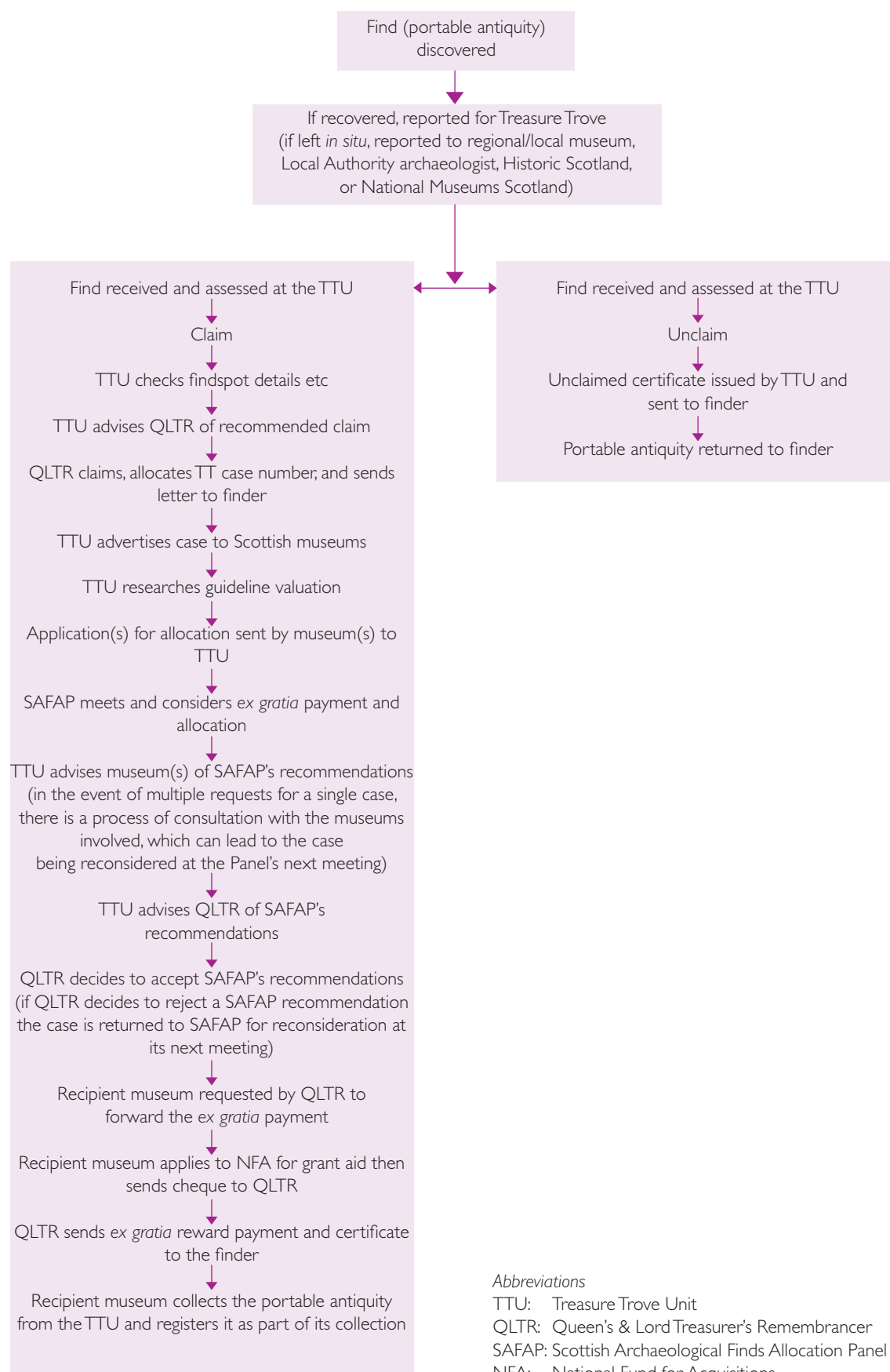
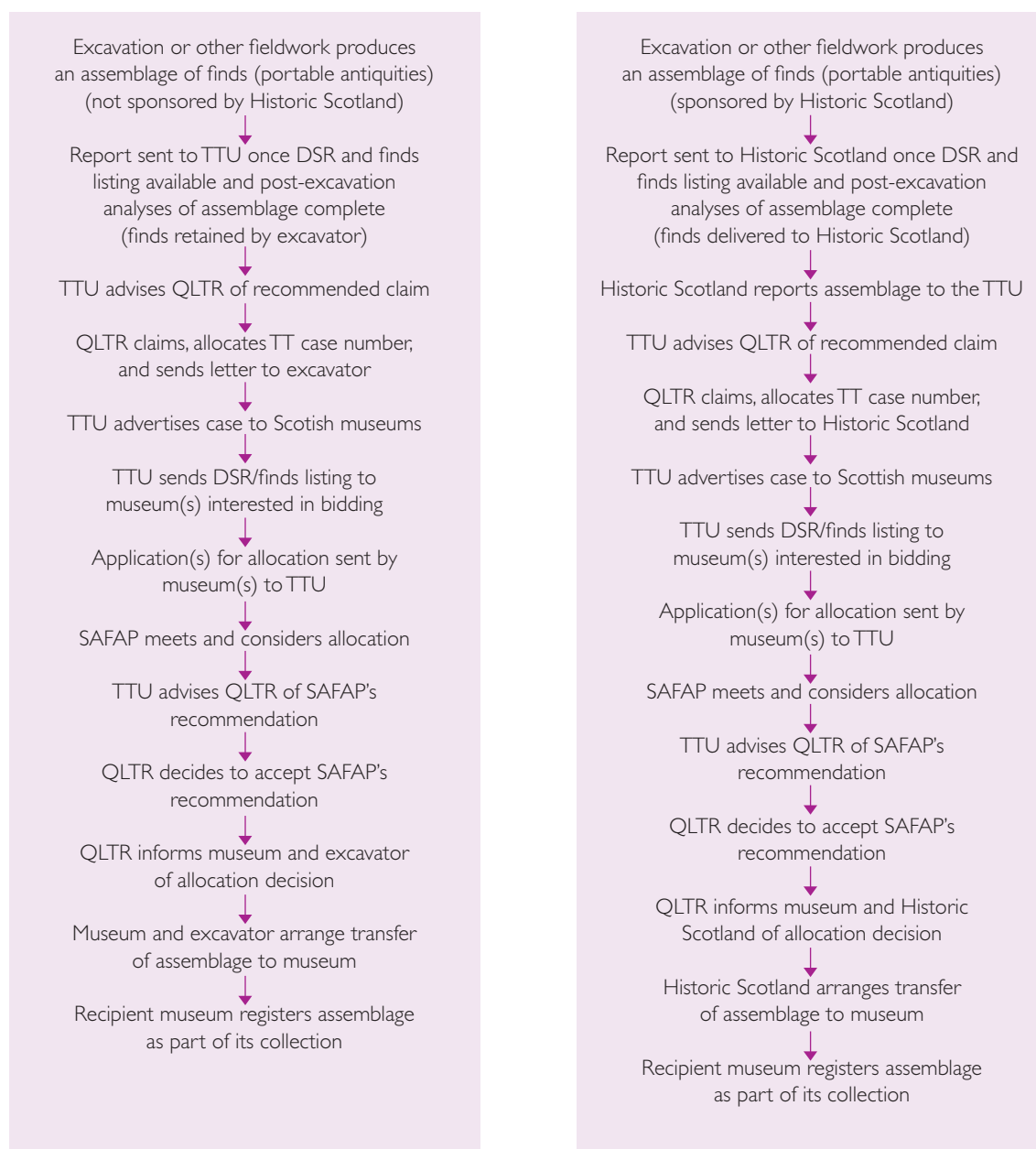


Fig. 3. Treasure Trove process flow-chart: assemblages from organized archaeological fieldwork (n.b. there are slightly divergent pathways for assemblages depending on whether or not they derive from projects sponsored by Historic Scotland)



Abbreviations

TTU: Treasure Trove Unit
 QLTR: Queen's & Lord Treasurer's Remembrancer
 SAFAP: Scottish Archaeological Finds Allocation Panel
 DSR: Data Structure Report

6. THE TREASURE TROVE PROCESS: FIELDWORK ASSEMBLAGES (Fig. 3)

6.1 All significant portable antiquities from organized archaeological fieldwork in Scotland are automatically claimed for the Crown and no *ex gratia* payments are made. The process by which fieldwork assemblages are dealt with under the Treasure Trove system is summarized in Figure 3. This section expands upon the flow-chart and provides a definitive step-by-step account. The responsibilities of the parties involved and the mechanisms for achieving the steps are considered in subsequent sections of the Code.

6.2 Assemblages, normally when museum ready, are reported directly to the TTU in the case of fieldwork other than that involving Historic Scotland. The assemblages themselves remain with the excavators until allocation, but Data Structure Reports (or equivalent), including a finds listing, must be sent to the TTU.

6.3 In the case of fieldwork involving Historic Scotland, the assemblages are reported by the excavator directly to Historic Scotland, not to the TTU. Historic Scotland then reports these finds to the TTU. In this case the assemblages remain with Historic Scotland until allocation and the Data Structure Reports are sent to Historic Scotland, which copies them to the TTU.

6.4 The TTU advises the QLTR of the reported fieldwork assemblages.

6.5 The QLTR formalizes the claim by allocating a case number, and notifies the excavator (or Historic Scotland) and the TTU that the assemblage has been claimed.

6.6 The TTU advertises the claimed assemblage to the museum sector and invites museums to submit standard applications for allocation. If multiple standard applications are received, these will be exchanged by the TTU between the submitters, who are given the option of submitting revised applications.

6.7 The TTU supplies a copy of the Data Structure Report (or equivalent), including a finds listing, to the museum(s) interested in allocation.

6.8 SAFAP considers current claimed assemblages at its regular meetings. SAFAP deliberates and arrives at its recommendations to the QLTR for allocation.

6.9 The TTU advises the relevant museum of SAFAP's recommendation and requests confirmation that the museum still seeks the allocation.

6.10 After SAFAP has considered multiple applications for a claimed assemblage, the TTU will inform the museums involved of what SAFAP is minded to recommend to the QLTR. It will request confirmation of the museum's agreement or disagreement with this outcome. If there is a disagreement, the case will be deferred for reconsideration at SAFAP's next meeting, and the museums involved will be invited to submit further details. These further details are not exchanged between the museums by the TTU.

6.11 The TTU advises the QLTR of SAFAP's recommendations.

6.12 If for any reason the QLTR decides to reject a SAFAP recommendation, the case is referred back to the next meeting of the Panel for reconsideration (this is rare).

6.13 If the QLTR decides to accept a SAFAP recommendation then the excavator (or Historic Scotland) and the recipient museum are notified by the QLTR, who also alerts the TTU to this decision.

6.14 The recipient museum arranges with the excavator or Historic Scotland for receipt of the assemblage and accessions it into its collection.

6.15 If, for any reason, no museum has expressed interest in acquiring a claimed assemblage, the QLTR may, on SAFAP's recommendation, disclaim the assemblage and it will remain with the excavator (or Historic Scotland). Responsibility for the retention or disposal of disclaimed assemblages (or any assemblages which the Crown has chosen not to claim) rests with the excavator (or Historic Scotland), who should retain relevant documentation.

TT.62/07 Middle Bronze Age spearhead from Mennock Water, Dumfries & Galloway. Allocated to Dumfries Museum



Bronze Age weapons and tools are found both singly and in hoards. Some have been deliberately broken or buried in or near water or in prominent places in the landscape suggesting ritual deposit as in the case of TT.62/07 a Middle Bronze Age spearhead which was discovered wedged in a rock crevice in a burn at Mennock Water in Dumfriesshire. It is in remarkable condition having survived in the water for around 3,500 years.

7. THE ROLE OF THE FINDER: CHANCE FINDS

7.1 The finder has the most important role to play in the Treasure Trove process, since only if chance finds are observed and reported can they be acquired and preserved by museums, and thus contribute fully to public understanding and enjoyment of Scotland's past.

7.2 Finders are required, within one month of its initial discovery, to report anything believed to be a portable antiquity (see section 2.5 above for the legal position). This can be done by reporting directly to the TTU or by taking the object to a regional or local museum or to a Local Authority archaeologist. Advice on reporting can be obtained from the TTU by phone, letter, or email or from the website, from which a standard reporting form is available to download (see [Appendix C](#)). A delay in the reporting of portable antiquities may have a negative impact on any potential *ex gratia* payment.

7.3 Participants in metal-detecting rallies or similar events have an individual responsibility to report their finds, and organizers of such rallies and events should remind participants of this fact. Metal-detector users must not work on a scheduled monument without prior permission from Scottish Ministers.

7.4 The finder should provide as accurate a location as possible for the findspot. The TTU may send the finder a copy extract of the relevant map so that the position can be marked. Further details of the circumstances of finding may be required. Wilful misreporting of a findspot or the circumstances of finding is an offence.

7.5 The finder must take care not to damage a portable antiquity in any way. Objects must not be improperly cleaned, repaired, or marked. Items of wood, leather, fabric, or other organic material should be kept in the condition in which they are found (e.g. if wet keep wet). Advice on the treatment of finds can be obtained from the TTU. Damage to a portable antiquity in the care of the finder may result in a reduced *ex gratia* payment.

7.6 Sometimes it will be in the best interests of a portable antiquity to leave it where it has been found for investigation by an archaeologist. For example, removing organic items from peat can easily damage them and disturbing an object which is part of a hoard can destroy valuable information. Such discoveries should be notified immediately to the TTU, to a Local Authority archaeologist, to Historic Scotland, or to a museum. Such notification will in no way prejudice the reporter's position as the original finder for Treasure Trove purposes; indeed, such responsible actions are likely to be reflected favourably in SAFAP's determination of *ex gratia* payments.

7.7 The discovery of portable antiquities with human remains requires a different course of action. The human remains and associated artefacts should not be disturbed and must immediately be reported to the police (or local Procurator Fiscal's office) and to Historic Scotland.

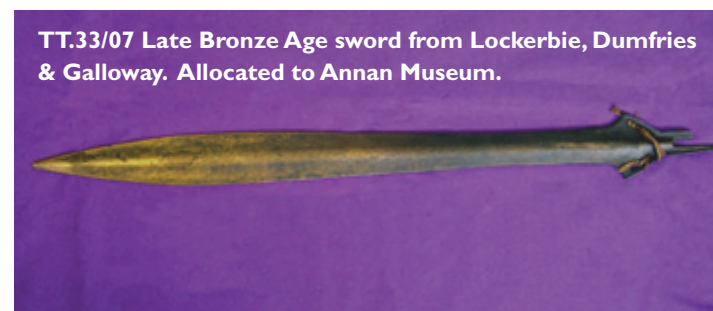
7.8 Whilst **Appendix F** lists some of the most commonly claimed categories of portable antiquities it is not an exhaustive list and if in doubt it is best for finders to err on the side of caution and report any object they think may be relevant.

7.9 Most portable antiquities must come to the TTU for assessment. The TTU can advise on how this should be accomplished. Items which are claimed through the Treasure Trove process will be retained by the TTU pending allocation to a museum.

7.10 When a portable antiquity is claimed, the finder receives a letter to that effect from the QLTR. This letter advises the finder that the QLTR will consider an ex-gratia payment to the finder and invites the finder to communicate any information relevant to the assessment of the payment to the TTU (**Appendix G**). The finder also has the opportunity at this stage to waive any possible *ex gratia* payment altogether, thereby benefiting any museum which acquires the find.

7.11 Once a decision has been taken over the valuation and allocation of a claimed portable antiquity, the finder will receive from the QLTR a letter setting out the sum determined as the *ex gratia* payment, the museum to which the allocation will be made, and the offer of a finder's certificate. The QLTR's decisions are final.

7.12 A portable antiquity which is returned to a finder after assessment is accompanied by an unclaim certificate. Finders must retain this certificate for as long as they retain the object, and must pass it on with the object if it is given away or otherwise disposed of.



Other bronze objects have often been hoarded to melt down for re-use but it is rare to find an almost intact object in such fine condition as TT.33/07 a Late Bronze Age sword found near Lockerbie of a type rarely found in Scotland and dating to 1,150-1,000 BC.

8. THE ROLE OF THE FINDER: EXCAVATION ASSEMBLAGES FROM ORGANIZED ARCHAEOLOGICAL FIELDWORK

8.1 For the purposes of the Treasure Trove system the finder of portable antiquities from an excavation or other fieldwork project is: a) the project director; or b) the organization which employs the director; or c) in certain cases Historic Scotland as the sponsoring body. Finders in this category are never eligible for any *ex gratia* payment and there is no valuation process for assemblages from organized archaeological fieldwork. The procedures listed below replace those previously used by Historic Scotland's Finds Disposal Panel, which was disestablished in April 2005.

8.2 The finder is responsible for the security and stable conservation of the assemblage throughout the time which elapses between the field phase of a project, the post-excavation analyses, and the reporting and deposition. Assemblages held in this way are unallocated Treasure Trove and belong to the Crown. Finders are not authorized to lend or otherwise hand over excavated finds directly to a museum.

8.3 The finder may not remove from Scotland any of the portable antiquities originally found in Scotland, unless the appropriate loan form (obtainable from the TTU; see [Appendix I](#)) is authorized by the QLTR. The finder remains responsible for the security and integrity of the assemblage throughout the loan and must ensure the assemblage is returned to Scotland at the due date at her/his own expense.

8.4 Once the post-excavation process has reached the point at which an assemblage is museum ready or within a maximum of five years of the completion of fieldwork the finder must report it for claim by the Crown. This applies to all organized archaeological fieldwork commenced after the date at which this Code was first introduced (i.e. after [31 December] 2008), or started previously but still ongoing thereafter. In the case of organized archaeological fieldwork which was completed before the date at which this Code was first introduced, the finder must report it for claim within five years of that date (i.e. after [31 December] 2008)

8.5 If the assemblage derives from a project with which Historic Scotland has no involvement, it must be reported to the TTU using the standard form for this purpose available from the TT website (see [Appendix J](#)). In this case the finder retains the actual assemblage in safe keeping until the QLTR's decision on allocation is announced.

8.6 If the assemblage derives from a project sponsored by Historic Scotland then it must be reported to Historic Scotland and the assemblage itself will be deposited with Historic Scotland. Historic Scotland will then report the assemblage to the TTU using the standard reporting form.

8.7 Finders must provide the TTU with two hard copies of the Data Structure Report or equivalent, including a finds listing, at the time the assemblage is reported. It is envisaged that electronic rather than hard copies will in due course become the norm; the TTU can advise finders on this matter.

8.8 Finders will be informed by letter from the QLTR that their assemblage has been claimed and to which museum it has been allocated.

8.9 Following receipt of the QLTR's letter indicating allocation, finders are responsible for arranging delivery of the assemblage to the allocated museum.

8.10 In the event that no museum wishes to acquire a particular fieldwork assemblage, it will be disclaimed by the QLTR, who will communicate with the finder to that effect.



This is one of only a dozen Late Bronze Age double-edged 'bifid' razors from Scotland dating to 1,000-800 BC. The function of these razors is uncertain but clearly they could have served a number of purposes from shaving to cleaning skins.



Flint tools also continued to be made in the Bronze Age and TT.11/07 is an interesting example of how flint, which is scarce in Scotland, was recycled from a Neolithic axehead of an earlier period to make this knife.

9. THE ROLE OF MUSEUMS

9.1 Museums are the ultimate custodians, on behalf of the public, of all portable antiquities claimed through the Treasure Trove system.

9.2 All portable antiquities acquired by museums since the publication in 1999 of the guidance that this document now replaces must have the status of either being claimed, unclaimed or disclaimed by the Crown (see [Appendix M](#)).

9.3 Museums must monitor the advertised lists of claimed items and send completed standard application forms for acquisition to the TTU before the closing submission date.

9.4 Museum involvement can begin at a much earlier stage, such as when an object is brought in for identification. In this case museum staff may be able to advise the finder on whether the object is a portable antiquity and therefore whether it should be reported as potential Treasure Trove (and the TTU can provide guidance for museum workers if there is uncertainty).

9.5 In such cases museum staff should where possible assist the finder to report her/his find to the TTU. They should be able to outline the Treasure Trove system (see [Appendix N](#) for a suitable information sheet to give enquirers), and it may be possible for them to retain the object, issue a receipt, and forward the object to the TTU themselves.

9.6 When applying for a portable antiquity or assemblage which has been claimed, museums must use the standard application form, available from the TT website (see [Appendix K](#)).

9.7 Only Scottish museums which have accredited/registered status through the scheme administered by Museums Galleries Scotland (MGS) are eligible to apply for Crown-claimed material. Provisional status may in some cases be sufficient (MGS can provide information on this issue).

9.8 Museums may normally only apply for Crown-claimed items which fall within the remit of their own collecting policies. This requires every museum to ensure that a copy of its current collecting policy is lodged with the TTU.

9.9 When compiling an application, museums should have regard to the criteria for allocation as defined elsewhere in this Code ([Appendix L](#)).

9.10 In applying for Crown-claimed items museums ought to have a reasonable expectation of being able to meet the *ex gratia* payment where applicable, bearing in mind the assistance available from the National Fund for Acquisitions.

9.11 SAFAP encourages the development of memoranda of understanding between museums with overlapping collecting policies in order to reduce the number of competitive applications and to facilitate the loan of objects to one museum even if allocation is made to another. It is not permissible, however, for one museum to apply to acquire Crown-claimed material on behalf of another, even if that museum is itself accredited/registered.

9.12 If competing applications are submitted, the TTU and SAFAP will follow the procedures outlined above (section 6.10) and the QLTR will determine the allocation.

9.13 Where no applications are received from museums for a claimed item, SAFAP will give NMS the option of accepting allocation.

9.14 Where an *ex gratia* payment is due to a finder, the QLTR will direct the allocated museum to pay the appropriate amount to the Crown Office. Only once the payment has been received by the QLTR will the TTU be authorized to release the find to the allocated museum.

9.15 Museums may wish to access claimed but unallocated items for display. This is possible by means of a loan arrangement authorized by the QLTR, for which appropriate forms are available to download from the TT website (see [Appendix H](#)).

9.16 Although allocation is deemed to transfer ownership of Crown-claimed items, museums are expected for audit purposes to notify the TTU of any intended long-term transfer of allocated items to another museum. The transfer of allocated items to non-accredited/registered bodies is not permitted.



Most metal objects from the Iron Age are not in fact made from iron, a metal which rarely survives well in Scottish soils, but are of bronze. A good example of fine Iron Age metalworking in bronze is TT.105/06 a decorative strap junction from a horse harness with intact yellow and red enamelling in very good condition although part of one of the two decorative bronze lobes is missing. Enamelling is a common decorative technique in the Iron Age and this example gives some idea of how colourful many metal objects would have been particularly when new and the bronze was highly polished.

10. THE ROLE OF THE LOCAL AUTHORITY ARCHAEOLOGIST

10.1 Local Authority archaeologists ought to be familiar with the Treasure Trove system and must make reference to it when making provision for organized archaeological fieldwork to be undertaken through the planning system.

10.2 All permissions for organized archaeological fieldwork approved by a Local Authority should state clearly that any finds recovered must be reported for Treasure Trove purposes to the TTU (or directly to Historic Scotland in the case of work which it funds).

10.3 If a chance find is notified to a Local Authority archaeologist she/he may be able to advise the finder on whether the object is a portable antiquity and therefore whether it should be reported as potential Treasure Trove.

10.4 In such cases the Local Authority archaeologist should where possible assist the finder to report her/his find to the TTU. She/he should be able to outline the Treasure Trove system (see **Appendix N** for a suitable information sheet to give enquirers) and it may be possible for a Local Authority archaeologist to retain the object, issue a receipt, and forward the object to the TTU.

10.5 If a chance find is notified which remains *in situ* a Local Authority archaeologist should arrange for its immediate protection and organize appropriate specialist recovery, if necessary in liaison with other bodies such as Historic Scotland, National Museums Scotland and/or a regional/local museum.



This fastener is an example of an object with a typically Iron Age motif, the comma scroll, but the object itself has no direct parallels although it is probably a loop fastener for a harness. It is often the case that in outlying areas beyond the main sphere of influence, objects were adapted to suit local tastes rather than following purely mainstream fashions.

11. THE ROLE OF THE TREASURE TROVE UNIT

11.1 The overall functions of the TTU are listed at [Appendix B](#).

11.2 This section clarifies some of the specific procedures of the TTU in relation to claiming, unclaiming, and valuation within the Treasure Trove system.

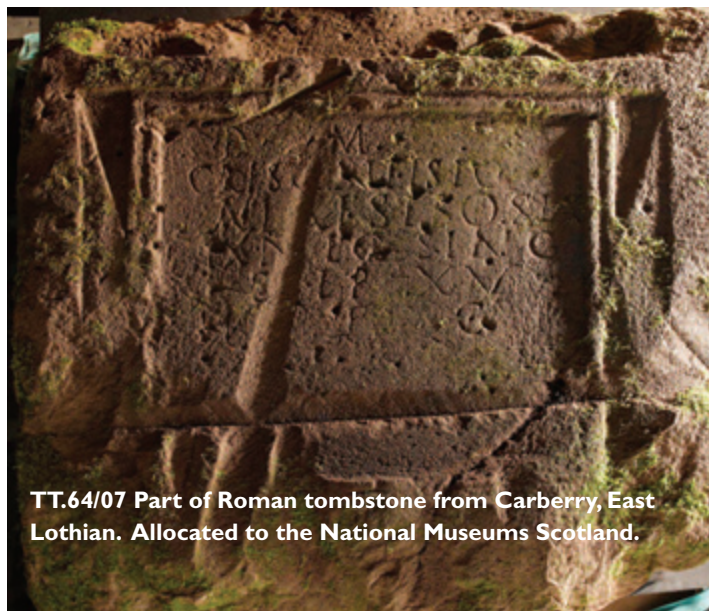
11.3 The TTU assesses reported portable antiquities to determine their suitability for claiming. If necessary, opinions are obtained from NMS curators or from other experts.

11.4 Portable antiquities are treated on a case-by-case basis, normally in the chronological order in which they are reported to the TTU.

11.5 The TTU recommends to the QLTR which items should be claimed.

11.6 If any reported item is considered unsuitable for claiming, the TTU has delegated authority from the QLTR to unclaim. In this case the TTU will return the item and issue a certificate of unclaim to the finder.

11.7 The TTU undertakes the initial research to assist SAFAP in determining the *ex gratia* payment to recommend to the QLTR. Sources of data on portable antiquities values elsewhere in the UK are monitored by the TTU and in some instances the opinions of outside experts are sought. Information gathered by the TTU, along with any representations made by the finder, is presented to SAFAP in advance of each meeting.



TT.64/07 Part of Roman tombstone from Carberry, East Lothian. Allocated to the National Museums Scotland.

This is a large rectangular fragment of a Roman tombstone in red-brown sandstone found by chance in a field near Carberry in East Lothian. The inscription in translation reads: *'To the shades of Crescens, cavalryman of the Ala Sebosiana, from the detachment of the Equites Singulares, served 15 years, his heir (or heirs) had this set up.'*

The tombstone dates to the period 140-180 AD and Crescens appears to have died whilst accompanying the Governor on a visit to nearby the nearby Roman site of Inveresk. The stone is a highly significant find being the first evidence of the Governor's bodyguard in Scotland.

12. THE ROLE OF SAFAP

12.1 The terms of reference for SAFAP are listed at [Appendix A](#).

12.2 This section clarifies specific procedures of SAFAP practice in relation to claimed items.

12.3 Where there is a single application for a claimed item, once SAFAP is satisfied that the applicant is eligible to apply, the recommendation to allocate is normally made without further discussion.

12.4 When considering a case for which there are multiple applications, SAFAP assesses the latter against the criteria for allocation (see [Appendix L](#)) and determines a provisional view, which is communicated to the applicant museums by the TTU. Should an applicant museum disagree with SAFAP's view, then the procedure in paragraph 6.10 applies.

12.5 In cases where there is no application for a claimed item, SAFAP may direct the TTU to seek an appropriate depository, bearing in mind the residuary role of NMS (see 9.13 above).

12.6 SAFAP has the option to recommend to the QLTR the disclaiming of any items previously claimed.

12.7 SAFAP may defer a recommendation on allocation or *ex gratia* payment for any case if it requires further information.

12.8 The sum recommended to the QLTR for an *ex gratia* payment for any claimed item is that which has been discussed and agreed by SAFAP.

TT.76/07 Roman Augustus gold aureus from East Linton, East Lothian. Allocated to East Lothian Museums Service.



Gold coins of any period are obviously scarce finds and would rarely be casual losses unlike many base metals coins. TT.76/07 a Roman Augustus gold aureus, minted in Lugdunum/Lyons, 2 BC – 4 AD from East Linton is unusual in that it has a score mark on the obverse face which was most likely an ancient test to ensure the coin really was made from pure gold.

13. THE ROLE OF THE QLTR

13.1 The QLTR is head of the Treasure Trove system and institutes any legal procedures necessary.

13.2 The QLTR takes all final decisions on the claiming (and disclaiming), valuation and allocation of portable antiquities, bearing in mind the recommendations of the TTU and SAFAP.

13.3 All formal notifications concerning claimed (and disclaimed) items, allocation, and rewards are issued from the QLTR unit, as are the certificates awarded to finders of claimed items (see [Appendix E](#)).

13.4 The financial arrangements for claimed items involving museum payments and finders' *ex gratia* payments are undertaken by the QLTR unit. Current practice requires a museum first to provide payment before the QLTR unit issues an *ex gratia* payment to the relevant finder.

13.5 After cases involving multiple applications have been determined the QLTR unit will notify unsuccessful applicants of the outcome as well as the successful applicant.

13.6 The QLTR convenes an annual meeting with SAFAP and the TTU (see [Appendix A:12](#)).

13.7 The QLTR is required to report annually to the Scottish Ministers on the operation of the Treasure Trove system. This report comprises a list of all claimed cases and any that have been disclaimed. It may also include further information and analysis about the working of the Treasure Trove system and the activities of the bodies involved.



TT.101/06 Viking hacksilver from Crail, Fife. Allocated to Fife Museum Service

There are very few Viking finds from the East of Scotland and these two fragments of silver from Crail – one possibly from a Viking trefoil brooch and the other from an Irish style penannular brooch, bear deliberate cut marks indicating that they are Viking hacksilver – that is they have been cut up to be used as currency. They probably belonged to a dispersed hoard buried in the 10th-11th centuries although the Irish brooch may be several centuries earlier in date as fragments of old silver objects could remain in circulation for centuries because of their bullion value.

Appendix A: Scottish Archaeological Finds Allocation Panel (SAFAP) – terms of reference

SCOTTISH ARCHAEOLOGICAL FINDS ALLOCATION PANEL

TERMS OF REFERENCE

Status

1. The Panel is a non-statutory advisory committee established to assist the Queen's and Lord Treasurer's Remembrancer (QLTR) in discharging his functions in relation to portable antiquities. Scottish Ministers appoint the Panel and provide resources in order to allow the Panel to carry out its remit.
2. The Panel is supported in its work by a secretariat (i.e. the Treasure Trove Unit). The secretariat is currently hosted by National Museums Scotland (NMS).

Membership

3. The Panel comprises a Chair and five members. The Chair and Panel members are appointed for a fixed term (renewable) by Scottish Ministers, except in the case of each of the two *ex officio* members, one from each of NMS and Museums Galleries Scotland (MGS), who are nominated by the respective directors of NMS and MGS on behalf of Scottish Ministers. The Panel will be quorate when two members and the Chair are present, and at least one of the members is a ministerial appointment. The Chair may nominate another Panel member to act in her/his stead at a Panel meeting (or other occasion when he would be representing the Panel), which she/he is unable to attend.
4. Members of the secretariat attend Panel meetings to provide information as required by the Chair and to record the Panel business.
5. The QLTR is entitled to attend Panel meetings and members of the QLTR staff may attend Panel meetings with the agreement of the Chair.
6. Other individuals may on occasion be invited to attend Panel meetings at the discretion of the Chair.

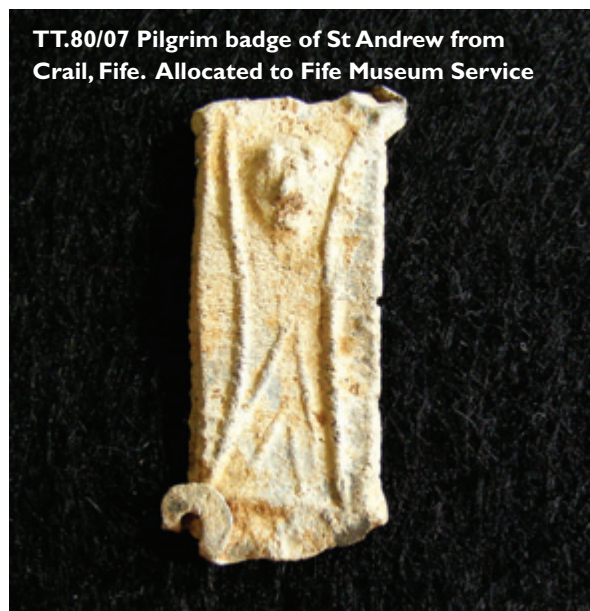
Remit

7. The Panel's role is to advise the QLTR on valuations and allocations of portable antiquities claimed by the Crown. In carrying out its valuation and allocation work in relation to portable antiquities the Panel is to apply the criteria and follow the procedures set out in the Code of Practice. When considering the valuation and allocation of any claimed item, the Panel may recommend disclaiming to the QLTR.
8. The Panel will respond to requests from the QLTR for advice, comment or action.
9. The Panel will respond to requests from Scottish Ministers.

10. The Chair will liaise with other relevant bodies at his discretion.
11. The Panel will, as required by the QLTR, assist in the definition and dissemination of good practice in relation to Scottish portable antiquities and will assist the QLTR in the production of an annual report on the work of the Panel.

Meetings

12. The Panel will normally meet three times a year. Additional meetings may be held if required by the Chair. The Chair has the power to deal with items of business other than at Panel meetings, in urgent and exceptional cases.
13. In addition to its normal meetings, the Panel and its secretariat will meet annually with the QLTR to review the year's business and discuss items of mutual concern.



A rare example of a lead pilgrim badge of St Andrew, probably dating to the 14th century when the depiction of St Andrew on this type of 'X' cross came into fashion. Fewer than a dozen of these badges of this type are known with the majority coming from the Thames foreshore in London. Pilgrims could buy these badges as a souvenir of their visit to the shrine either at the ferry crossing over the river Forth or at the shrine itself at St Andrews. Pilgrim badges were sewn onto clothing and this example has loops in each corner for this purpose although two of these have broken off.



This is only the fifth recorded medieval example from Scotland of a knopped and socketed copper alloy macehead. The function of these maceheads is unclear and suggestions range from weaponry to church use although they could have fulfilled either or both functions.

Appendix B: Functions of the Treasure Trove Unit (TTU)

The TTU manages and delivers the TT system in Scotland and current functions include:

- to provide specialist services by identifying and assessing which archaeological and historical objects submitted by the public are appropriate for claiming or disclaiming as TT
- to provide a front-line service for public, professional and other enquiries relating to TT in Scotland
- to promote awareness of the TT system in Scotland through publications, lectures and participation in public events
- to register and curate all TT objects submitted to the TTU
- to provide Scottish museums with information on TT cases and offer advice on aspects of conservation, interpretation and display
- to monitor compliance by finders, museums, archaeology units and other bodies with TT law, timescales and deadlines to ensure the effective operation of the system
- to undertake all case-work associated with claimed, unclaimed and disclaimed objects from initial receipt to final transfer
- to organize, where appropriate, the scientific analysis of TT objects, other than those from organized archaeological fieldwork
- to organize, where appropriate, the conservation of TT objects insofar as is necessary to ensure they are in a stable condition at the time of transfer
- to ensure that all significant assemblages from archaeological fieldwork are declared for TT purposes
- to operate the TT pre-allocation loans system on behalf of the QLTR
- to advise, liaise and maintain close operational links with the QLTR and his staff and with other relevant bodies including the Scottish Government Culture Division, Scottish museums, MGS, Historic Scotland and the Receiver of Wreck
- to act as secretariat to SAFAP by producing minutes and Panel paperwork three (or more) times per year and to provide such additional support as required
- to manage and schedule the TT caseload to correspond with three (or more) Panel meetings per year
- to research and provide guideline valuations for TT objects for SAFAP
- to maintain and develop the TT website
- to maintain and develop the TT archive (digital, paper and image)

- to publish annually a list of TT allocations in the Council for Scottish Archaeology's *Discovery & Excavation in Scotland* (D&ES)
- to publish reports on TT cases in specialist publications
- to maintain links with relevant bodies in all UK countries, including the British Museum and the Portable Antiquities Scheme
- to participate at national and international level in academic and organizational aspects within the portable antiquities field

TT.32/07 A 17th century gold finger ring from Gattonside, Scottish Borders. Allocated to Scottish Borders Museum Service.



A gold finger ring with a beaded frieze known as gadrooning which was particularly popular in the 17th century. Such rings were common throughout the period and would be used as wedding rings. This example is in very fine condition and was found in a garden.

Appendix C: Standard reporting form for chance finds



**Treasure
Trove**

DECLARATION OF FINDS FOR TREASURE TROVE ASSESSMENT

Finder's name: _____

Address: _____

Town: _____ Postcode: _____

County/Region: _____ Contact tel: _____

Description of find(s): _____
(e.g. coin/axehead/unidentified)

Date object found: _____

Findspot of object: _____ Grid Reference: _____
(give 2 letters followed by 6 digits)

Nearest town/village: _____ County/region: _____

Method of discovery

Discovered by metal-detecting Yes/no (please indicate)

Discovered by chance Yes/no (please indicate)
(e.g. whilst walking, ploughing etc)

Being declared for other reasons Yes/no (please indicate)
(e.g. house clearance)

Please give information on current and/or previous land use, or on previous finds from the findspot which you think may be relevant:

Declaration

I confirm that I am the finder of the object(s) declared above

Name: _____

Please return this form to:

Treasure Trove Unit
National Museums Scotland
Chambers Street
Edinburgh EH1 1JF
Tel: 0131-247-4082/4355
email: info@treasuretrovescotland.co.uk

Appendix D: Standard unclaim certificate issued to finders



**Treasure
Trove**

*Protecting our
Archaeological Heritage
for the Nation*

CERTIFICATE OF UNCLAIMING CROWN TITLE

HAA.TTNC.2007/ ...

Item/s: _____

Findspot: _____

Finder/reporter: _____

This notice is issued on behalf of the Queen's and Lord Treasurer's Remembrancer and informs you that:

■ The Crown has chosen not to claim this find/these finds

Signed: _____
(Head of the Treasure Trove Unit)

Date: _____

For further information about Scottish Treasure Trove/*bona vacantia* law and how the system works, contact the Treasure Trove Unit (www.treasuretrovescotland.co.uk)

Appendix E: Certificate issued to finders of chance finds of Crown-claimed objects



**Treasure
Trove**



THIS IS TO CERTIFY THAT

«INSERT NAME OF FINDER»

is the finder of

«INSERT FIND»

which have been claimed as Treasure Trove

Queen's and Lord Treasurer's Remembrancer

Crown Office and Procurator Fiscal Service
25 Chambers Street
Edinburgh EH1 1LA

«INSERT DATE»

Appendix F: Types of portable antiquities which will ordinarily be liable to claiming for the Crown, dependent on age, condition, context, circumstances of finding, etc., as each object will be assessed by the TTU on a case-by-case basis. This listing is not intended to be exhaustive.

Adze-blade	Dirk
Amulet	Fastener
Anvil	Ferrule
Ard	Figurine
Ard-blade	Finial
Armlet	Fire-dog
Armour	Fire-steel
Arrowhead	Fish-hook
Awl	Flesh-hook
Axehead	Game-piece
Axe-hammer	Goblet
Badge	Grave-slab
Barbed point (antler/bone)	Grave-stone
Battle-axe	Grinder
Bead	Gunflint
Belt fitting	Halberd
Book mount/clasp	Hammerstone
Boss	Harpoon
Bracelet	Heraldic pendant
Brooch	Horse gear
Bucket	Ingot
Buckle	Intaglio
Button	Jar
Casket	Jewellery
Cauldron	Key
Chape	Knife
Chariot equipment	Knocking-stone
Cheekpiece	Ladle
Chesspiece	Lamp
Coin	Lithic artefact
Coin hoard	Logboat
(N.B. Coins reported will be identified by specialist numismatists. After recording, individual medieval and later coins will not normally be claimed unless they are rare types, are from findspots which give them an added significance, or are part of assemblages. Pre-medieval coins and coin hoards of all periods will normally be claimed.)	Loomweight
Comb (bone/antler)	Love token
Container	Mace
Counter	Macehead
Cross-shaft	Mattock-head
Cross-slab	Mirror
Crucible	Mortar
Cup-marked stone	Mould
Currency bar	Mount
Dagger	Musical instrument
Decorated stone	Neolithic stone ball
	Needle
	Net-weight
	Papal bulla
	Palstave
	Patera
	Pestle
	Pictish symbol stone

Appendix F (cont'd)

Pilgrim badge
Pin
Pommel
Pottery
Purse-frame
Purse-mount
Quern
Rapier
Razor
Ring
Rubber
Saw
Scabbard
Sculpture
Seal
Seal matrix
Shield
Sickle
Socketed axehead
Socket-stone
Spatula
Spear
Spindle whorl
Spoon

Spur
Statue
Stirrup
Stone artefact
Strap-end
Strap-mount
Strike-a-light
Sword
Tankard
Terret
Tile
Token
Toiletry implements
Tombstone
Torc
Toy
Tweezers
Vase
Vehicle parts
Vessel
Weaponry
Weights
Worked organic material
Worked stone

TT.42/07 Post medieval Scottish lead seal matrix from Culross, Fife. Allocated to Fife Museum Service.



This type of personal seal in the form of a flower is unique to Scotland and dates to the 16th and 17th centuries. The shield on the obverse has been identified as belonging to one of five families but heraldic identification requires that the shield colours survive and in this case they are now lost through wear. The seal matrix has been clipped, presumably on the death of the owner – a common practice to ensure it was not misused and was the equivalent of cutting up a bank card or cheque today.

Appendix G: Standard letter from QLTR to finder of chance finds when portable antiquity is claimed by the Crown

Dear Finder

TREASURE TROVE – description of find

Thank you for reporting the above find.

I write to inform you that the Crown has exercised its right to claim the item mentioned above as Treasure Trove. The Scottish Archaeological Finds Allocation Panel (SAFAP) will consider museum allocation of the item and any appropriate *ex gratia* award for the find at its next meeting. If you have any information regarding the value or otherwise of the item, which you wish the Panel to consider, please send it to TTU (Treasure Trove Unit), c/o National Museums Scotland, Chambers Street, Edinburgh. Information about what is required regarding value is attached.

When a find is allocated to a Museum, that museum finances the *ex gratia* award. A finder may choose to forego an *ex gratia* award and, should you wish to do this, please advise the TTU in writing at the address above.

You will be informed in due course of the decision taken regarding the allocation of the item and any *ex gratia* award payable.

A list of Finders' names is published in the Annual Report for the year in which the find was reported. I would be grateful if you can let me know in writing if you agree to the inclusion of your name in the list. Please let me know within four weeks of the date of this letter. If I do not hear from you by then, your name will not be included.

Yours sincerely

QLTR Administrator

Appendix G (cont'd)

EX GRATIA PAYMENT FOR TREASURE TROVE OBJECTS INFORMATION FOR FINDERS

If you have recent verifiable information in support of a valuation for an object which is identical or very similar in type and condition to the one which you have submitted for Treasure Trove, and you wish the Panel to consider this information, you must submit it to the Treasure Trove Unit (TTU) in advance of the date of the next Panel meeting. This date is given in the 'Notice to Finders of Treasure Trove' letter which has been sent to you by the TTU.

The Unit will then ensure this information is put before the Panel when it is considering the case for an *ex gratia* payment for your find.

The Treasure Trove Unit must be able to contact the person who gave you the valuation or be able to consult the appropriate catalogue etc, in order to verify the valuation for the Panel.

Verifiable information must include:

The name and business address of the person who has given the valuation along with a copy of their valuation.

If the information has come from an auction house catalogue then full details of the publication must be given including the name of auction house, the date and place of sale, the lot number, the guide price and/or the hammer price.

If the information has come from a dealer's catalogue then the name of the dealer, along with the date of publication of the catalogue and object reference number is required.

Non-verifiable information

Information which has come from an anonymous source will not be considered by the Panel. This would include website sales such as eBay and valuations from any un-named experts or dealers.

Please note that the Crown is not obliged to offer any award for claimed Treasure Trove objects. It will, however, normally do so and may use 'market value' as a guide price. The estimated *ex gratia* payment may be reduced if an object has been inappropriately handled by the finder including: cleaning which has damaged the object, and/or the application of any waxes and/or varnishes to the object

Appendix H: Application form for authority to borrow and display unallocated Treasure Trove



**Treasure
Trove**

APPLICATION FOR AUTHORITY TO BORROW AND DISPLAY UNALLOCATED TREASURE TROVE

(for use by a borrowing accredited/registered museum only)

Object(s) description:

Curator:

Address:

..... email address:

I hereby make application for authority to borrow and display the above object (s) for a period of months, from..... 200_. I understand that if such authority is granted, transfer of the material will not be made until acceptable insurance cover or indemnity has been effected.

Signed: Date:

Recommendation: Agree ☐ Disagree ☐

Signed: Date:

Chair of SAFAP

Authority to borrow the above material for a period of months granted.

Signed: Date:

Queen's and Lord Treasurer's Remembrancer

Please return this form to:

The Treasure Trove Administrator, NMS, Chambers Street, Edinburgh EH1 1JF

Appendix I: Application form for authority to borrow unallocated Treasure Trove for research purposes

APPLICATION FOR AUTHORITY TO BORROW UNALLOCATED TREASURE TROVE FOR RESEARCH PURPOSES

Under the laws of Treasure Trove and *bona vacantia*, all material recovered by organized archaeological fieldwork in Scotland belongs to the Crown. Material may NOT be removed from Scotland without the prior written permission of the Queen's and Lord Treasurer's Remembrancer.

Please complete the attached list on page 2 detailing the artefactual material to be covered by this loan permission.

This form is for completion by an archaeology unit/university department/accredited researcher only.

COMPLETE ALL SECTIONS IN FULL

Name of site & NGR:

Location: Local Authority:

Unit/Field Director:

Address:

..... email address:

Address where finds will be kept if different from the above:

.....

I hereby make application for authority to borrow material from the above fieldwork for a period of months, from 200_. (Maximum period is 48 months)

I understand that if such authority is granted, transfer of the material will not be made until acceptable insurance cover or indemnity has been arranged.

Signed: Date:

Recommendation: Agree Disagree

Signed: Date:

Chair of SAFAP

Authority to borrow the above material for a period of months granted.

Signed: Date:

Queen's and Lord Treasurer's Remembrancer

Appendix I (cont'd)

LIST OF ARTEFACTUAL MATERIAL TO BE COVERED BY LOAN

SITE NAME: _____ Site code: _____

Total no boxes: _____

Assemblage includes:

Stone:	Yes/No
Organic: (specify)	Yes/No
Metal: (specify)	Yes/No
Precious metal: (specify)	Yes/No
Other: (specify)	Yes/No

Purpose of removal (please tick):

Research	Yes/No
Analysis (specify type)	Yes/No
E.g. destructive/non-destructive	
Conservation (specify type)	Yes/No
Other (specify)	Yes/No

At the end of the excavation period please complete and return this form to:

THE TREASURE TROVE ADMINISTRATOR, NATIONAL MUSEUMS SCOTLAND,
CHAMBERS STREET, EDINBURGH EH1 1JF



Treasure
Trove

Appendix J: Standard organized fieldwork reporting form



**Treasure
Trove**

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for the Nation*

DECLARATION OF AN ARCHAEOLOGICAL ASSEMBLAGE FROM ORGANIZED ARCHAEOLOGICAL FIELDWORK

Please submit a full report with this form, as two hard copies or on a CD-ROM.

Site name: _____ NGR: _____

Location: _____ LA: _____
(Local Authority)

Director of fieldwork: _____

Unit name: _____

Address: _____

Postcode: _____

Contact person: _____ tel: _____ email: _____

Approximate age of the assemblage: _____
(e.g.: Neolithic, medieval, post-medieval, etc.)

Please state the total number of boxes in the assemblage:

Current location of assemblage: _____
(e.g.: in the care of ABC Archaeology)

This fieldwork was sponsored (wholly or in part) by Historic Scotland: Yes/No (Please indicate as museum is eligible for HS box storage grant)

This fieldwork was sponsored by:

Submission of this declaration assumes that the assemblage is now ready for museum uplift (Please do NOT declare an assemblage until it is ready for museum uplift)

Return to:

**The Assistant Administrator, Treasure Trove Unit, NMS, Chambers Street,
Edinburgh EH1 1JF Tel: 0131-247 4355 Email: info@treasuretrovescotland.co.uk**

Appendix K: Standard application form for museums and other relevant institutions



**Treasure
Trove**

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Archaeological Heritage
for the Nation*

Application by an Accredited/Registered Scottish Museum for Treasure Trove

Please refer to the Scottish Government document 'The Treasure Trove System in Scotland: Code of Practice', before completing this application

Application for case no. TT _____

Museum: _____

Address: _____

Email contact: _____

Please complete all relevant sections, continuing where necessary, on separate sheets

Eligibility: (e.g. accreditation/registration status)

Collecting Policy: (e.g. refer to the relevant sections in your policy document which relate to acquisition of the type of material applied for here)

Payment of *ex gratia* award: (e.g. refer to expected source(s) of funding)

Enhancement of local heritage interpretation:

Appendix K (cont'd)

National importance:

Integrity of assemblages:

Public accessibility to Crown-claimed material:

Research potential:

Other:

Application submitted by: _____

PLEASE RETURN YOUR APPLICATION(S) BY EMAIL WHERE POSSIBLE TO:

info@treasuretrovescotland.co.uk

Treasure Trove Administrator, National Museums Scotland, Chambers Street, EDINBURGH EH1 1JF Tel:
0131-247-4082 Fax: 0131-247-4060

Appendix L: Criteria for allocation in the event of multiple applications

Criteria for the allocation of Treasure Trove in the event of multiple applications from accredited/registered museums

The overarching priority for SAFAP when allocating Treasure Trove is:

Enhancement of local heritage interpretations

There is a presumption that Crown-claimed material will be allocated locally unless a convincing argument for allocating it elsewhere is presented

The other criteria (unranked) for allocation that must be considered in these circumstances are:

National importance⁴

Material may be defined as being of national importance if any or all of these criteria are fulfilled:

- it is a rare or unique type in a Scottish context or part of an assemblage containing such material; or
- it is of particularly high quality within its type; or
- it provides information of major significance (e.g. concerning the methods used in its manufacture or the nature of its subsequent use) not normally found on objects of its type; or
- the contextual information concerning the object or assemblage is of an exceptional nature.

Integrity of assemblages

Assemblages from archaeological fieldwork, all non-coin hoards, and many coin hoards, will normally be allocated in their entirety to a single applicant. Coin hoards will normally be allocated *en bloc*, unless in the opinion of SAFAP compelling reason to split them has been presented. Containers for coin hoards, and any other non-coin material directly associated with coin hoards, will normally be included in the allocation.

In the case of objects or assemblages where material from the same findspot already exists in one or more public collection, the principle of not splitting finds further should normally apply. Assuming an appropriate application has been lodged, allocation will normally be made to the institution which already possesses the previous finds – or, in instances where material is already in more than one museum – to the institution which holds the main relevant collection. SAFAP may require cartographic information in support of assertions that scattered finds from a locality can reasonably be construed as parts of the assemblage from a single site.

⁴ The role of National Museums Scotland (NMS) will be taken into account in considering allocations of nationally important material for which NMS has made an application. NMS will be required to demonstrate fully that there are clear advantages, in serving the national interest, in allocating a find to the NMS rather than to another institution.

Conservation

Some Crown-claimed material may need special conservation monitoring or intervention. In such cases any applicants will already have been notified of any special requirement. An applicant will need to demonstrate to SAFAP the ability to provide the requisite additional conservation cover if such is specified

Potential to maximize public accessibility to, and understanding of, Crown claimed material

This will include consideration of the applicant's ability and proposals to contextualize the material in a public display. SAFAP will also take into consideration the ways in which the item is otherwise to be made accessible (e.g. through print publication, electronic media, loans to other museums, accessible storage facilities, etc.). These factors will be assessed on the basis of the information provided in the application and on SAFAP's general knowledge of the institution concerned.

Research potential

This will include consideration of the applicant's ability and proposals to enhance the research potential of its collection (e.g. if an institution aimed to build a representative set of objects types from a particular area, and needed a particular object or assemblage to fill an identifiable gap). This will be taken into consideration along with the ability of an applicant to undertake or facilitate research on the item either by its own staff or by third parties.

Exceptional circumstances

In exceptional circumstances there may be other factors to be taken into account by SAFAP in reaching its recommendation. When these circumstances arise, the applicants will be informed in advance of any additional issues which SAFAP considers relevant, and the justification for so doing.

Appendix M: Scottish portable antiquities acquired by museums since 31 December 1999 (extract from the notice issued jointly by the QLTR and the Chair of SAFAP, Edinburgh, 7 December 2005)

In 1999 formal guidance on the Treasure Trove system was issued by the Scottish Executive. Museums which acquired any Scottish portable antiquity or archaeological assemblage after 31 December 1999, without either any such item having been claimed by the Crown and allocated or, it having been reported, without the Crown having intimated that it is not to be claimed ('unclaim'), must report that item through the Treasure Trove system before 31 December 2007. Where the portable antiquity is a chance find, reporting must include details of the finder (and museums must inform the finder they are doing this), since an *ex gratia* reward payment to the finder may fall to be paid.

The current position may therefore be summarized as follows:-

- Scottish portable antiquities or archaeological assemblages which have been both acquired and formally registered/accessioned by museums on or before 31 December 1999 without having been reported through the Treasure Trove system will be deemed to have been acquired lawfully by those institutions and will not require to be notified to the Crown.
- Scottish portable antiquities or archaeological assemblages acquired by museums after 31 December 1999 other than by Treasure Trove allocation or following unclaim or disclaim by the Crown are the property of the Crown and must be reported through the Treasure Trove system. This requirement also applies to items acquired by museums prior to this date but which have not been formally registered/accessioned by 31 December 1999. Museums cannot lawfully acquire such items unless and until the Crown has been given the opportunity to exercise its right to claim them or not through the Treasure Trove system.

Appendix N: The Treasure Trove process: summary information sheet for finders of chance finds



WHAT HAPPENS WHEN A CHANCE FIND IS MADE THAT IS POTENTIALLY TREASURE TROVE

- 1 Finds are deposited with the Treasure Trove Unit (TTU) at National Museums Scotland in Edinburgh by the finder or via a regional/local museums curator or by another third party.
- 2 Finds are then assessed for Treasure Trove purposes.
- 3 When a find is deemed suitable for claiming under the laws of *bona vacantia*/Treasure Trove, the finder will be informed by the TTU.
- 4 Finders will receive a report on the find and a digital photograph for their own records. They will also be informed of the date of the meeting at which the Scottish Archaeological Finds Allocation Panel (SAFAP) will consider the find.
- 5 The case information is then passed to the QLTR unit at the Crown Office. There will normally be no further correspondence with the finder by the TTU.
- 6 The QLTR unit will write to the finder to advise that the QLTR accepts the recommendation to claim the find. All further correspondence with the finder will come directly from the QLTR unit. Finders can waive a reward thereby saving a museum the purchase price of the find.
- 7 At its next meeting SAFAP will recommend to the QLTR:
 - i) an *ex gratia* payment for the find (n.b. this does not apply to finds from organized archaeological fieldwork)
 - ii) the appropriate museum to be allocated the find.
- 8 If the QLTR accepts the Panel's recommendation the finder will receive a letter informing her/him of the amount of any reward being paid and the name of the museum which will house find.

- 9 The QLTR unit will then write to the museum which has been allocated the find and request the sum for the finder's *ex gratia* payment.
- 10 In some cases, the QLTR or the Panel may need to postpone arriving at a recommendation on a case until further information has been obtained. This can occur when more than one museum has applied for the same find or when extra specialist advice or analyses are required.
- 11 The majority of cases will proceed without delays and the finder will be sent a cheque for the *ex gratia* payment after the recipient museum has paid this sum to the Crown Office.
- 12 The entire process is normally completed within 12 months from the date of claiming the object.

Treasure Trove Unit, National Museums Scotland, Chambers Street, Edinburgh EH1 1JF.

Appendix O: Contact details

Culture Division, Scottish Government, Victoria Quay, Edinburgh EH6 6QQ (telephone: 0131-556 8400; fax: 0131 244 0353; email: ceu@scotland.gsi.gov.uk; website: www.scotland.gov.uk)

Historic Scotland, Collections Unit, Longmore House, Salisbury Place, Edinburgh EH9 1SH (telephone: 0131-668 8946; email: hs.collections@scotland.gsi.gov.uk; website: www.historic-scotland.gov.uk/collections)

Historic Scotland, Inspectorate, Longmore House, Salisbury Place, Edinburgh EH9 1SH (telephone: 0131-668 8770; email: hs.inspectorate@scotland.gsi.gov.uk; website: www.historic-scotland.gov.uk/inspectoratecontacts)

National Fund for Acquisitions, c/o National Museums Scotland (telephone: 0131-247 4106; fax: 0131 247 4308; email: h.williamson@nms.ac.uk)

National Museums Scotland, Chambers Street, Edinburgh EH1 1JF (telephone: 0131-247 4422; fax: 0131 220 4819; email: info@nms.ac.uk; website: www.nms.ac.uk/nms/home)

Queen's & Lord Treasurer's Remembrancer, Crown Office, 25 Chambers Street, Edinburgh EH1 1LA (telephone: 0844 561 3802/3804/3805/3806; fax: 0844 561 4276; email: COQLTR@copfs.gsi.gov.uk; website: www.crownoffice.gov.uk/About/roles/qltr/qltr-overview)

Scottish Archaeological Finds Allocation Panel, c/o Treasure Trove Unit

Museums Galleries Scotland, The Stack, Papermill Wynd, McDonald Road, Edinburgh EH7 4QL (telephone: 0131-550 4100; email: inform@museumsgalleriesscotland.org.uk; website: www.museumsgalleriesscotland.org.uk)

Treasure Trove Unit, c/o National Museums Scotland, Chambers Street, Edinburgh EH1 1JF (telephone: 0131-247 4082/4355/4054; fax: 0131 247 4060; email: info@treasuretrovescotland.co.uk; website: www.treasuretrovescotland.co.uk)

23.06.2008 Compiled on behalf of Scottish Ministers and the Crown Office by Professor Ian Ralston, Chair of SAFAP (ian.ralston@ed.ac.uk) and Alan Saville, former Head of the TTU (a.saville@nms.ac.uk) with the advice of SAFAP members.

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RR Donnelley B57806 11/08

ISBN 978-0-7559-5887-0



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